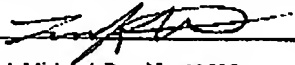


Application No: 10/629,978
Filing Date: July 30, 2003
Atty. Docket No: 22956-234

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mehmet Sengun
Application No: 10/629,978
Filing Date: July 30, 2003
Entitled: SELF-LOCKING SUTURE ANCHOR
Atty. Docket No: 22956-234 (MIT224CON2)

Group Art Unit: 3739
Examiner: P. Vrettakos

Certificate of Mailing (37 C.F.R. 1.8(a))	
I hereby certify that this correspondence is being deposited with the United States Postal Service Post Office as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.	
<u>June 14, 2005</u>	By: 
Date of Signature and Mail Deposit	Lisa J. Michaud, Reg. No: 44,238

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1.132 Declaration of Mehmet Sengun

I, Mehmet Sengun, residing at 60 Dinsmore Ave, #525, Framingham, MA 01702, hereby declare as follows:

1. I am a Principal Engineer at DePuy Mitek, Inc., and my responsibilities include research, design, development, theoretical and experimental analysis, and design and idea assessment in the field of sports medicine, suture anchors, and tissue engineering. I have been working at DePuy Mitek, Inc. for two years.
2. I obtained a PhD in mechanical engineering from MIT.
3. I have read the above-referenced patent application, and I fully understand the

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invention disclosed and claimed therein.

4. I have also read U.S. Patent No. 5,702,397 of Goble et al. ("Goble"), and I fully understand the invention disclosed therein.

5. Independent claims 38, 47, 49, 52, 57, 68, and 72 of the pending patent application each require a suture anchor that is adapted to retain a suture using an interference or compression fit. An interference or compression fit is a specific type of fit wherein one or both contacting surfaces of the two components of the suture anchor yield to create an amount of normal compression forces between the surfaces. The compression forces provide a frictional force to retain the suture between the contacting surfaces in secure engagement under axial or rotational loading. In use, the frictional force that retains the suture is proportional to the interference force that acts normal to the area of contact.

6. Goble discloses a suture anchor that uses a mechanical interlock, which is different from an interference or compression fit. The mechanical interlock is obtained by corresponding surface features formed on the two components of the anchor. The corresponding surface features interact to positively engage one another to hold the components together. Once mated, the corresponding surface features do not have an interference force that acts normal to the area of contact to retain the suture. Accordingly, the mechanical interlock disclosed by Goble does not provide the claimed interference or compression fit, and therefore Goble does not anticipate independent claims 38, 47, 49, 52, 57, 68, and 72 of the pending patent application

7. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 6/10/2005


Mehmet Sengun

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